

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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/Timothy K. Ball, USPTO Reg. No. 42,287 /

Nov 06, 2009

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Timothy K. Ball

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Date

In re application of: Bogdanova et al.

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) Examiner: Anne R. Kubelik

Serial No.: 10/525,318

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) Group Art Unit: 1638

Filed: February 23, 2005

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371 Acceptance: October 7, 2005

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) Conf. No. 5329

For: Nucleotide Sequence Encoding Cry1Bb

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Proteins for Enhanced Expression in Plants )

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO OFFICIAL ACTION MAILED MAY 18, 2009

This paper is filed in response to the Official Action mailed by the USPTO on May 18, 2009 which provided a three months statutory period of time for reply with no additional fee. With this response, a petition for extension of time for three months is also submitted with authorization for the Office to deduct the appropriate fee from the assignee Monsanto's USPTO Deposit Account 13-4125 and to credit any overpayment thereto. It is respectfully requested that the remarks below be entered and considered in view of the Examiner's rejections.